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Diane Dunn McKay

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Lutz, et al.
:

Serial No. 09/488,298
:

Filed: January 20, 2001
:

For: NOVEL
PODOPHYLLOTOXIN
COMPOSITIONS

Group Art Unit: 1617
Examiner: Kim, J.

Commissioner for Patents
Washington, D.C. 20231
Box: AF

SIR:

AMENDMENT UNDER RULE 1.116

In response to the Office Action dated August 22, 2001, a Petition for an Extension of Time for a one (1) month extension and the requisite fee being submitted herewith.

REMARKS

The Office Action dated August 22, 2001 has been carefully considered. Claims 1, 4, 5 and 7-24 are in this application.

The previously presented claims were rejected under 35 USC § 103 as obvious in view of U.S. Patent No. 5,891,469 to Amselen in combination with Brandely et al. Applicant submits that the teachings of these references does not disclose or suggest the invention defined by the present claims.

Amselem disclose solid dry coprecipitate compositions containing lipophilic active ingredients comelted with tocopherol polyethyleneglycol succinate (TPGS) and a dispersion adjuvant. Amselem describes that conventional lipophilic substances were usually administered